

**§ 328.1**

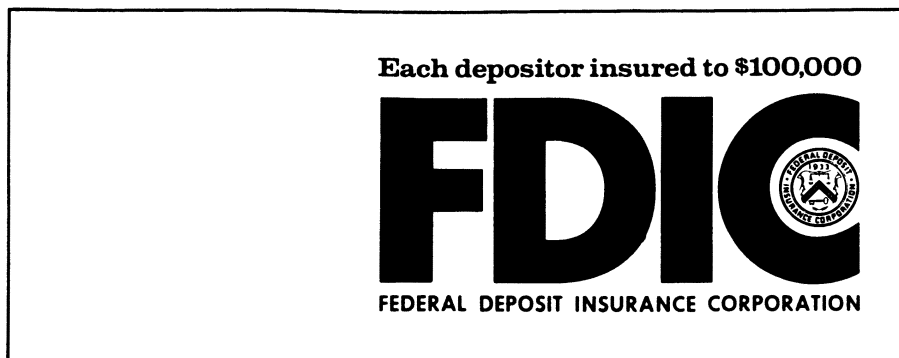
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countries. For purposes of this part 328, the term *insured bank* includes a foreign bank having an insured branch.

[54 FR 33670, Aug. 16, 1989]

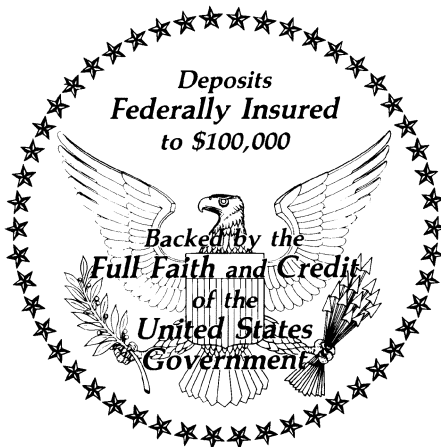
**§ 328.1 Official signs.**

(a) *Official bank sign.* The official sign referred to in this paragraph (*bank sign*) shall be 7" by 3" in size and of the following design:



The *symbol* of the Corporation shall be that portion of the official bank sign represented by the letters and the Corporation seal contained upon the official bank sign.

(b) *Official savings association sign.* The official sign referred to in this paragraph (*savings association sign*) shall be 5½" in diameter and of the following design:



[54 FR 33670, Aug. 16, 1989, as amended at 57 FR 45977, Oct. 6, 1992]

**§ 328.2 Mandatory requirements with regard to the official sign and its display by banks.**

(a) *Insured banks to display official sign.* Each insured bank shall continuously display an official bank sign or an official savings association sign at each station or window where insured deposits are usually and normally received in its principal place of business and in all its branches, except on automatic service facilities including automated teller machines, cash dispensing machines, point-of-sale terminals, and other electronic facilities where deposits are received. However, no bank becoming an insured bank shall be required to display such an official sign until twenty-one (21) days after its first day of operation as an insured bank. An official sign may be displayed by an insured bank prior to the date display is required. Additional bank signs or savings association signs may be displayed in other locations within an insured bank in other sizes, colors, or materials. An insured bank may display an official sign at a remote service facility, provided that if there are any noninsured institutions which share in the remote service facility, any insured bank which displays the official bank sign must clearly show

that the sign refers only to a designated insured bank or banks.

(b) *Obtaining official signs.* (1) Any insured bank may procure official bank signs with black letters on a gold background or official savings association signs with black letters, stars, and eagle, on a gold background, from the Corporation for official use at no charge. The Corporation shall furnish to banks an order blank for use in procuring the official signs. Any bank which promptly, after the receipt of the order blank, fills it in, executes it, and properly directs and forwards it to the Federal Deposit Insurance Corporation, Washington, DC 20429, shall not be deemed to have violated this regulation on account of not displaying an official sign, or signs, unless the bank shall omit to display such official sign or signs after receipt thereof.

(2) Official signs or signs reflecting variations in size, colors, or materials may be procured by insured banks from commercial suppliers.

(c) *Receipt of deposits at same teller's station or window as noninsured bank or institution.* An insured bank is forbidden to receive deposits at any teller's station or window except a remote service facility as defined in §303.0(b)(18) of this chapter, where any noninsured institution receives deposits or similar liabilities.

(d) *Required changes in official sign.* The Corporation may require any insured bank, upon at least 30 days' written notice, to change the wording of its official signs in a manner deemed necessary for the protection of depositors or others.

[54 FR 33670, Aug. 16, 1989, as amended at 57 FR 45977, Oct. 6, 1992]

**§ 328.3 Mandatory requirements with regard to the official advertising statement and manner of use by banks.**

(a) *Insured banks to include official advertising statement in all advertisements except as provided in paragraph (c) of this section.* Each insured bank shall include the official advertising statement, prescribed in paragraph (b) of this section, in all of its advertisements except as provided in paragraph (c) of this section.

(1) An insured bank is not required to include the official advertising statement in its advertisements until thirty (30) days after its first day of operation as an insured bank.

(2) In cases where the Board of Directors of the Federal Deposit Insurance Corporation shall find the application to be meritorious, that there has been no neglect or willful violation in the observance of the section and that undue hardship will result by reason of its requirements, the Board of Directors may grant a temporary exemption from its provision to a particular bank upon its written application setting forth the facts. For the procedure to be followed in making such application see §303.8 of this chapter.

(3) In cases where advertising copy not including the official advertising statement is on hand on the date the requirements of this section become operative, the insured bank may cause the official advertising statement to be included by use of a rubber stamp or otherwise.

(4) When a foreign bank has both insured and noninsured U.S. branches, the bank must identify which branches are insured and which branches are not insured in all of its advertisements requiring the use of the official advertising statement.

(b) *Official advertising statement.* The official advertising statement shall be in substance as follows: "Member of the Federal Deposit Insurance Corporation". The word "the" or the words "of the" may be omitted. The words "This bank is a" or the words "This institution is a" or the name of the insured bank followed by the words "is a" may be added before the word "member". The short title "Member of FDIC" or "Member FDIC" or a reproduction of the "symbol" may be used by insured banks at their option as the official advertising statement. The official advertising statement shall be of such size and print to be clearly legible. Where it is desired to use the "symbol" of the Corporation as the official advertising statement, and the "symbol" must be reduced to such proportions that the small lines of type and the Corporation seal therein are indistinct and illegible, the Corporation seal in the letter C